

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/18/03

A Bill

HOUSE BILL 2869

5 By: Representative Parks
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS PUBLIC SAFETY
10 COMMUNICATIONS ACT OF 1985; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 AN ACT TO AMEND THE ARKANSAS PUBLIC
15 SAFETY COMMUNICATIONS ACT OF 1985.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 12-10-320 is amended to read as follows:

21 12-10-320. Emergency telephone service charges -- Duties, rights,
22 liability, etc., of service supplier.

23 (a)(1) Each service supplier currently providing exchange telephone
24 service or commercial mobile radio service in a political subdivision shall
25 register with the clerk of each political subdivision in which it provides
26 service.

27 (2) As of the effective date of this subdivision (a)(2), each
28 service supplier that desires to provide exchange telephone service or
29 commercial mobile radio service in a political subdivision shall register
30 with the clerk of each political subdivision in which it desires to provide
31 service, before commencing operations within the political subdivision.

32 ~~(a)(b)~~ The duty of ~~the~~ each service supplier to collect any such
33 service charge shall commence upon the date of its implementation, which date
34 shall be specified in the resolution calling the election.

35 ~~(b)(1)(c)(1)~~ The service supplier shall have no obligation to take any
36 legal action to enforce the collection of any emergency telephone service



1 charge.

2 (2) However, the service supplier shall annually provide the
3 governing authority of the political subdivision with a list of the amount
4 uncollected, together with the names and addresses of those service users who
5 carry a balance that can be determined by the service supplier to be
6 nonpayment of such service charge.

7 (3) The service charge shall be collected at the same time as
8 the tariff rate in accordance with the regular billing practice of the
9 service supplier.

10 (4) Good faith compliance by the service supplier with this
11 provision shall constitute a complete defense for the service supplier to any
12 legal action or claim which may result from the service supplier's
13 determination of nonpayment and the identification of service users in
14 connection therewith.

15 ~~(e)(1)(d)(1)~~ The amounts collected by the service supplier
16 attributable to any emergency telephone service charge shall be due
17 quarterly. The amount of service charge collected on one (1) calendar quarter
18 by the service supplier shall be remitted to the political subdivision no
19 later than sixty (60) days after the close of a calendar quarter.

20 (2) A return, in such form as the governing authority of the
21 political subdivision and the service supplier agree upon, shall be filed
22 with the political subdivision, together with a remittance of the amount of
23 service collected payable to the political subdivision.

24 (3) From the gross receipts to be remitted to the political
25 subdivision, the service supplier shall be entitled to retain as an
26 administrative fee an amount equal to one percent (1%) thereof.

27 (4) The service supplier shall maintain records of the amount of
28 the service charge collected for a period of at least two (2) years from date
29 of collection.

30 (5) The governing authority may, at its expense, require an
31 annual audit of the service supplier's books and records with respect to the
32 collection and remittance of the service charge.

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/s/ Parks

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